



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

November 27, 2007

By Facsimile

Honorable Laura Taylor Swain
United States District Court
500 Pearl Street
New York, New York 10007

Re: United States v. Miguel Sierra-Marte
07 Cr. 528 (LTS)

Dear Judge Swain:

The Government writes to respectfully request, on behalf of both parties, and as discussed with Your Honor's clerk, that the next conference in the above-referenced matter be re-scheduled from November 28, 2007, to a date convenient for Your Honor either during the week of December 17, 2007, or anytime in January 2008, to allow the parties to continue ongoing discussions concerning a disposition in this matter, and to accommodate the schedule of defense counsel (who currently is on trial in another matter).

The Government respectfully requests that time be excluded for purposes of the Speedy Trial Act between November 28, 2007, and the date of the next conference. This delay will permit the Government and the defense to continue discussions concerning the possibility of a disposition before trial, and provide defense counsel with an opportunity to review discovery produced by the Government. The Government makes this request with the consent of counsel for the defendant.

The adjournment and exclusion requests are granted as in the interests of justice.

The conference is adjourned to January 4, 2008 at 4:15 pm and time is suspended from speedy trial calculations through that date for the reasons set forth above. By:

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

Eugene Ingoglia
Assistant United States Attorney
(212) 637-1113

SO ORDERED.

EJ 11/27/2007
FAXED
Copies mailed to AUSA
Chambers of Judge Swain 11-27-07

cc: David Goldstein, Esq.

LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE